

Honolulu, Hawaii  
February 27, 2014

RE: H.B. No. 1503  
H.D. 1

Honorable Joseph M. Souki  
Speaker, House of Representatives  
Twenty-Seventh State Legislature  
Regular Session of 2014  
State of Hawaii

Sir:

Your Committees on Consumer Protection & Commerce and  
Judiciary, to which was referred H.B. No. 1503 entitled:

"A BILL FOR AN ACT RELATING TO THE RESIDENTIAL LANDLORD-  
TENANT CODE,"

beg leave to report as follows:

The purpose of this measure is to make void any provision in a rental agreement that allows for eviction of a tenant for using medical marijuana in any form, unless the agreement allows for eviction for smoking tobacco and the medical marijuana is used by means of smoking.

The Drug Policy Action Group and numerous individuals testified in support of this measure. The Office of Consumer Protection testified in support of the intent of this measure. The Honolulu Police Department, City and County of Honolulu and an individual testified in opposition to this measure. The Hawaii Association of REALTORS and several individuals provided comments on this measure.

Your Committees have amended this measure by:

- (1) Specifying that the protection against eviction applies only to a tenant who holds a valid certificate for medical use of marijuana issued by the Department of Health;



- (2) Clarifying that provisions for eviction based on medical marijuana use shall remain valid where the governing documents of a condominium property regime or planned community association prohibit the medical use of marijuana;
- (3) Changing the effective date to July 1, 2112, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

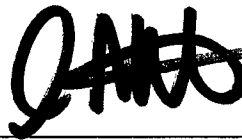
Your Committees respectfully note that there is a concern that this measure may impact the State's public housing.

As affirmed by the records of votes of the members of your Committees on Consumer Protection & Commerce and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1503, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1503, H.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on  
behalf of the members of the  
Committees on Consumer  
Protection & Commerce and  
Judiciary,



KARL RHOADS, Chair



ANGUS L.K. MCKELVEY, Chair



HSCR 669-14

Bill/Resolution No.: HB1503		Committee Referral: CPC/JUD		Date: 02/19/04	
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.					
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)					
CPC Members		Ayes	Ayes (WR)	Nays	Excused
1. McKELVEY, Angus L.K. (C)		/			
2. KAWAKAMI, Derek S.K. (VC)		/			
3. BELATTI, Della Au		/			/
4. BROWER, Tom		/			/
5. CACHOLA, Romy M.			/		
6. CREAGAN, Richard		/			
7. EVANS, Cindy		/			
8. HAR, Sharon E.			/		
9. ITO, Ken				/	
10. LEE, Chris		/			
11. NAKASHIMA, Mark M.		/			
12. OSHIRO, Marcus R.			/		
13. TSUJI, Clift			/		
14. YAMANE, Ryan I.			/		
15. MCDERMOTT, Bob					/
16. THIELEN, Cynthia		/			
TOTAL (16)		8	5	1	3-20
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. _____ committee acronym(s)					
Vice Chair's or designee's signature: _____					
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO					

HSLR 669-14

<b>Bill/Resolution No.:</b> <div style="font-size: 1.5em; font-family: cursive;">HB 1503</div>	<b>Committee Referral:</b> <div style="font-size: 1.5em; font-family: cursive;">CPC/JUD</div>	<b>Date:</b> <div style="font-size: 1.5em; font-family: cursive;">2/19/14</div>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
<b>The recommendation is to:</b> <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div> <input type="checkbox"/> Pass, unamended (as is)         </div> <div> <input checked="" type="checkbox"/> Pass, with amendments (HD)         </div> <div> <input type="checkbox"/> Hold         </div> </div> <div style="margin-top: 5px;"> <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)       </div>				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. RHOADS, Karl (C)	X			
2. HAR, Sharon E. (VC)	X	X		
3. BELATTI, Della Au				X
4. BROWER, Tom	X			
5. CREAGAN, Richard	X			
6. ITO, Ken			X	
7. KAWAKAMI, Derek S.K.	X			
8. LEE, Chris	X			
9. NAKASHIMA, Mark M.	X			
10. TSUJI, Clift		X		
11. WOOLEY, Jessica	X			
12. MCDERMOTT, Bob				X
13. THIELEN, Cynthia	X			
<b>TOTAL (13)</b>	8	2	1	2
<b>The recommendation is:</b> <div style="display: flex; align-items: center;"> <input checked="" type="checkbox"/> Adopted         <div style="margin-left: 20px;"> <input type="checkbox"/> Not Adopted         </div> </div> <div style="margin-top: 10px;">       If joint referral, _____ did not support recommendation.  <div style="text-align: center; font-size: 0.8em;">committee acronym(s)</div> </div>				
<b>Vice Chair's or designee's signature:</b> _____				
<b>Distribution:</b> Original (White) – Committee      Duplicate (Yellow) – Chief Clerk's Office      Duplicate (Pink) – HMSO				